

**AN ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE**

AN ORDINANCE TO TRANSFER WATER AND WASTEWATER DEBT SERVICE RESERVE ACCOUNTS INTEREST EARNINGS, IN THE AMOUNT OF TWELVE MILLION NINE HUNDRED THREE THOUSAND NINE HUNDRED EIGHTY FOUR DOLLARS AND NINETY THREE CENTS (\$12,903,984.93), BY TRANSFERRING ONE MILLION EIGHT HUNDRED FIFTY SEVEN THOUSAND FOUR HUNDRED FORTY FIVE DOLLARS AND FIFTY EIGHT CENTS (\$1,857,445.58) FROM 2J27 (2001 WATER AND WASTEWATER BOND FUND) 781001 (SINKING FUND REQUIREMENT) T31Z04109999 (DEBT SERVICE REQUIREMENT), TWO MILLION FIVE HUNDRED NINETY FIVE THOUSAND THREE HUNDRED EIGHT DOLLARS AND SIXTY THREE CENTS (\$2,595,308.63) FROM 2J27 (2001 WATER AND WASTEWATER BOND FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVE OF FUND APPROPRIATIONS), EIGHT MILLION FOUR HUNDRED FIFTY ONE THOUSAND TWO HUNDRED THIRTY DOLLARS AND SEVENTY TWO CENTS (\$8,451,230.72) FROM 2J28 (2004 WATER AND WASTEWATER BOND FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVE OF FUND APPROPRIATIONS), TO 2J51 (WATER AND WASTEWATER SINKING FUND) 783010 (INTEREST DUE) T65102 (WATER AND WASTEWATER BOND 2001A) (\$4,452,754.21), 2J51 (WATER AND WASTEWATER SINKING FUND) 783010 (INTEREST DUE) T65106 (WATER AND WASTEWATER 2004 BOND) (\$8,451,230.72), FOR DEBT SERVICE PAYMENT; AND OTHER PURPOSES.

WHEREAS, a certain Master Bond Ordinance was adopted on March 31, 1999, as supplemented and amended by that certain first supplemental Bond Ordinance adopted on March 5, 2001, that certain Series 2001 Bond Ordinance Adopted on December 5, 2001, that certain Series 2004 Bond Ordinance adopted on August 16, 2004, as supplemented by that certain supplemental Series 2004 Bond Ordinance adopted on September 15, 2004; and

WHEREAS, pursuant to the terms of the Series 2001 Ordinance adopted on December 5, 2001, the city deposited \$17,685,000 of Series 2001A Bonds and \$9,192,158.98 of Series 2001C Bonds funds into a Debt Service Reserve Account to be used, together with other funds on deposit in the Debt Service Reserve Account, to prevent default in the payment of debt service on the Senior Bonds whenever there are insufficient moneys in the Payment Account available to make such payment; and

WHEREAS, pursuant to the terms of the Series 2004 Ordinance adopted on September 15, 2004, the city deposited \$50,371,443.79 of Series 2004 Bonds funds into a Debt Service Reserve Account to be used, together with other funds on deposit in the Debt Service Reserve Account, to prevent default in the payment of debt service on the Senior Bonds whenever there are insufficient moneys in the Payment Account available to make such payment; and

WHEREAS, pursuant to the terms of the Series 2001 Ordinance and Series 2004 Ordinance, the city, wishes to use the interest earnings from the Debt Service Reserve Accounts along with system revenues for the payment of debt.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS,
as follows:**

SECTION 1: That the Chief Financial Officer is authorized to amend the 2008 Water and Wastewater Sinking Fund budget as follows:

TRANSFER FROM APPROPRIATIONS:

2J27	2001 Water and Wastewater Bond Fund	
791001	Reserve for Appropriation	
T11001	Reservation of Fund Appropriations	
Sub-total		\$2,595,308.63
2J28	2004 Water and Wastewater Bond Fund	
791001	Reserve for Appropriation	
T11001	Reserve of Fund Appropriations	
Sub-total		\$8,451,230.72
Grand Total		<u>\$11,046,539.35</u>

TRANSFER TO APPROPRIATIONS:

2J27	2001 Water and Wastewater Bond Fund	
781001	Sinking Fund Requirement	
T11001	Reservation of Fund Appropriations	
Sub-total		\$2,595,308.63
2J28	2004 Water and Wastewater Bond Fund	
781001	Sinking Fund Requirement	
T11001	Reserve of Fund Appropriations	
Sub-total		\$8,451,230.72
Grand Total		<u>\$11,046,539.35</u>

SECTION 2: That the Chief Financial Officer be and is hereby authorized to pay \$1,857,445.58 from 2J27 781001 T31Z04109999, \$2,595,308.63 from 2J27 781001 T11001, and \$8,451,230.72 from 2J28 781001 T11001 to the Water and Wastewater Debt Service Sinking fund (2J51); and recognize revenue in the amount of \$12,903,984.93 in 2J51 492101 B00001.

SECTION 3: That the 2008 Debt Service Sinking Fund Budget be amended as follows:

ADD TO ANTICIPATION:

2J51	Water and Wastewater Sinking Fund	
692101	Sinking Fund Requirement	
B00001	Revenue Center	
Grand Total		<u>\$12,903,984.93</u>

ADD TO APPROPRIATIONS:

2J51	Water and Wastewater Sinking Fund	
783010	Interest Due	
T65102	Water and Wastewater 2001A Bond	
Sub-total		<u>\$4,452,754.21</u>
2J51	Water and Wastewater Sinking Fund	
783010	Interest Due	
T65106	Water and Wastewater 2004 Bond	
Sub-total		<u>\$8,451,230.72</u>
Grand Total		<u>\$12,903,984.93</u>

SECTION 4: That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: AN ORDINANCE TO TRANSFER WATER AND WASTEWATER DEBT SERVICE RESERVE ACCOUNTS INTEREST EARNINGS, IN THE AMOUNT OF TWELVE MILLION NINE HUNDRED THREE THOUSAND NINE HUNDRED EIGHTY FOUR DOLLARS AND NINETY THREE CENTS (\$12,903,984.93), BY TRANSFERRING ONE MILLION EIGHT HUNDRED FIFTY SEVEN THOUSAND FOUR HUNDRED FORTY FIVE DOLLARS AND FIFTY EIGHT CENTS (\$1,857,445.58) FROM 2J27 (2001 WATER AND WASTEWATER BOND FUND) 781001 (SINKING FUND REQUIREMENT) T31Z04109999 (DEBT SERVICE REQUIREMENT), TWO MILLION FIVE HUNDRED NINETY FIVE THOUSAND THREE HUNDRED EIGHT DOLLARS AND SIXTY THREE CENTS (\$2,595,308.63) FROM 2J27 (2001 WATER AND WASTEWATER BOND FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVE OF FUND APPROPRIATIONS), EIGHT MILLION FOUR HUNDRED FIFTY ONE THOUSAND TWO HUNDRED THIRTY DOLLARS AND SEVENTY TWO CENTS (\$8,451,230.72) FROM 2J28 (2004 WATER AND WASTEWATER BOND FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVE OF FUND APPROPRIATIONS), TO 2J51 (WATER AND WASTEWATER SINKING FUND) 783010 (INTEREST DUE) T65102 (WATER AND WASTEWATER BOND 2001A) (\$4,452,754.21), 2J51 (WATER AND WASTEWATER SINKING FUND) 783010 (INTEREST DUE) T65106 (WATER AND WASTEWATER 2004 BOND) (\$8,451,230.72), FOR DEBT SERVICE PAYMENT; AND OTHER PURPOSES.

Council Meeting Date: April 21, 2008

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to transfer interest earnings from the Water and Wastewater Debt Service Reserve Accounts to the Water and Wastewater Sinking Fund for debt payment

2. Please provide background information regarding this legislation.

The Series 2001 and 2004 Bond Ordinances dictated that Debt Service Reserve accounts be established with proceeds from the sale of the bonds. These accounts were to be used as a last resort to prevent debt payment default. Once established, interest earnings from these accounts could be used make debt service payments. The City wishes to use current accumulated interest earnings on these accounts to current year debt.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center (*Ex. Name and number*):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Paul Kwaw

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: March 19, 2008

Anticipated Committee Meeting Date(s): April 1-2, 2008

Anticipated Full Council Date: April 21, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: _____

CAPTION

AN ORDINANCE TO TRANSFER WATER AND WASTEWATER DEBT SERVICE RESERVE ACCOUNTS INTEREST EARNINGS, IN THE AMOUNT OF TWELVE MILLION NINE HUNDRED THREE THOUSAND NINE HUNDRED EIGHTY FOUR DOLLARS AND NINETY THREE CENTS (\$12,903,984.93), BY TRANSFERRING ONE MILLION EIGHT HUNDRED FIFTY SEVEN THOUSAND FOUR HUNDRED FORTY FIVE DOLLARS AND FIFTY EIGHT CENTS (\$1,857,445.58) FROM 2J27 (2001 WATER AND WASTEWATER BOND FUND) 781001 (SINKING FUND REQUIREMENT) T31Z04109999 (DEBT SERVICE REQUIREMENT), TWO MILLION FIVE HUNDRED NINTEY FIVE THOUSAND THREE HUNDRED EIGHT DOLLARS AND SIXTY THREE CENTS (\$2,595,308.63) FROM 2J27 (2001 WATER AND WASTEWATER BOND FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVE OF FUND APPROPRIATIONS), EIGHT MILLION FOUR HUNDRED FIFTY ONE THOUSAND TWO HUNDRED THIRTY DOLLARS AND SEVENTY TWO CENTS (\$8,451,230.72) FROM 2J28 (2004 WATER AND WASTEWATER BOND FUND) 791001 (RESERVE FOR APPROPRIATION) T11001 (RESERVE OF FUND APPROPRIATIONS), TO 2J51 (WATER AND WASTEWATER SINKING FUND) 783010 (INTEREST DUE) T65102 (WATER AND WASTEWATER BOND 2001A) (\$4,452,754.21), 2J51 (WATER AND WASTEWATER SINKING FUND) 783010 (INTEREST DUE) T65106 (WATER AND WASTEWATER 2004 BOND) (\$8,451,230.72), FOR DEBT SERVICE PAYMENT; AND OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$12,903,984.93

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)
Received by Mayor's Office: 3.19.08 DL Reviewed by: _____
(date) (date)
Submitted to Council: _____
(date)